



Security Council

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Letter dated 12 July 2004 from the Secretary-General addressed to the President of the Security Council

I should like to inform you that I have decided to appoint Juan Méndez to serve as my Special Adviser on the Prevention of Genocide. Please find attached an outline of the special Adviser's mandate, which was circulated to the members of the Security Council on 24 March 2004 (see annex).

I should be grateful if you would bring the present letter and its annex to the attention of the members of the Security Council.

(Signed) Kofi A. Annan



Annex

Outline of the mandate for the Special Adviser on the Prevention of Genocide

The source of the mandate is Security Council resolution 1366 (2001), in particular the following paragraphs:

(a) the eighteenth preambular paragraph, in which the Council acknowledged the lessons to be learned for all concerned from the failure of preventive efforts that preceded such tragedies as the genocide in Rwanda and resolved to take appropriate action within its competence to prevent the recurrence of such tragedies;

(b) paragraph 5, in which the Council expressed its willingness to give prompt consideration to early warning or prevention cases brought to its attention by the Secretary-General;

(c) paragraph 10, in which the Council invited the Secretary-General to refer to the Council information and analyses from within the United Nations system on cases of serious violations of international law, including international humanitarian law and human rights law and on potential conflict situations arising, inter alia, from ethnic, religious and territorial disputes, poverty and lack of development, and expressed its determination to give serious consideration to such information and analyses regarding situations which it deems to represent a threat to international peace and security.

The Special Adviser will (a) collect existing information, in particular from within the United Nations system, on massive and serious violations of human rights and international humanitarian law of ethnic and racial origin that, if not prevented or halted, might lead to genocide; (b) act as a mechanism of early warning to the Secretary-General, and through him to the Security Council, by bringing to their attention potential situations that could result in genocide; (c) make recommendations to the Security Council, through the Secretary-General, on actions to prevent or halt genocide; (d) liaise with the United Nations system on activities for the prevention of genocide and work to enhance the United Nations capacity to analyse and manage information relating to genocide or related crimes.

The methodology employed would entail a careful verification of facts and serious political analyses and consultations, without excessive publicity. This would help the Secretary-General define the steps necessary to prevent the deterioration of existing situations into genocide. The Special Adviser would not make a determination on whether genocide within the meaning of the Convention had occurred. The purpose of his activities, rather, would be practical and intended to enable the United Nations to act in a timely fashion.

